

**Notice of Allowability**

Application No.

10/661,512

Examiner

Joseph L. Perrin, Ph.D.

Applicant(s)

SHARMA ET AL.

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10 March 2005.
2. ☒ The allowed claim(s) is/are 12-13, 15-18 & 21.
3. ☒ The drawings filed on 15 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **EXAMINER'S AMENDMENT & STATEMENT OF REASONS FOR ALLOWANCE**

### ***Examiner's Comments***

1. Applicant's representative is thanked for pointing out the oversight in transposing the numbers of the cited Dryer reference (U.S. 6,244,830) as U.S. 6,224,830 on the PTO-892 form. Accordingly, the Dryer reference has been placed on a PTO-892 form included with this Office Action. Any inconvenience is regretted.

### ***Response to Arguments***

2. In view of applicant's amendment filed 10 March 2005, the status of the application is as follows:

### ***35 U.S.C. §112 Rejections***

The rejection of claims 13-17 is withdrawn in view of applicant's newly amended claims effectively rendering the rejection moot.

### ***Claims Objections***

The objections of claims 14-17, indicated as containing allowable subject matter, are withdrawn in view of Applicant's amendment rewriting claim 12 to incorporate the indicated allowable subject matter of claim 14. The claims now appear to be allowable.

*35 U.S.C. §102(b) Rejections over Ohmori, Skrovan, and Brown*

The rejections of claims 12-13, 18 & 21 are withdrawn in view of applicant's newly amended claims effectively rendering the rejections moot (see Claims Objections).

***Examiner's Amendment***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
4. Authorization for this examiner's amendment was given in a telephone interview with Mr. Bernard Codd on 17 March 2005.
5. The application has been amended as follows:

**Claim 12:**

In line 10 change "said planar transducing surface" to --a planar transducing surface--.  
In line 17 change "a planar transducing surface" to --said planar transducing surface--.

***Allowable Subject Matter***

6. The following is an examiner's statement of reasons for allowance:
7. The closest prior art of record, Ohmori, Brown & Skrovan, fail to teach each and every limitation of the instant invention. Each of Ohmori, Brown & Skrovan disclose a sonic wafer treatment tank with a transducer sidewall and applying sonic energy to

Art Unit: 1746

wafer mounted inside the tank. However, Ohmori, Brown & Skrovan fail to teach or reasonably suggest the claimed method of treating a workpiece having a pair of opposed, planar surfaces by using a movable partition (formed from a material which is partially reflective and partially transmissive of ultrasonic wave energy) extending between opposing sidewalls and perpendicular to the ultrasonic waves of the transducer such that desired, adjustable sub-spaces are created which are capable of receiving a workpiece mounting means as described in claim 12.

8. For at least the foregoing reasons, claim 12 (and claims 13, 15-18 & 21 dependent thereon) are believed to recite patentable subject matter.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Perrin, Ph.D. whose telephone number is (571)272-1305. The examiner can normally be reached on M-F 7:00-4:30, except alternate Fridays.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1746

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joseph L. Perrin, Ph.D.  
Examiner  
Art Unit 1746

jlP